

indicated groups of claims, stating that “the product as claimed can be made by another and materially different process, such as MOCVD, PECVD, PVD, or epitaxial growth methods” (Office Action; page 2, paragraph 2). While it may be true that claim 10 does not limit the exact fabrication process used to form the product, claim 10 does specify the manner in which certain elements of the product are formed, such as, for example, the silicide layer in the MOS device.

Specifically, the table below illustrates the correspondence between the elements of claims 1 and 10.

CLAIM 1	CLAIM 10
“a semiconductor layer of a first conductivity type;”	“... a semiconductor layer, the semiconductor layer being of a first conductivity type”
“a first source/drain region of a second conductivity type formed in the semiconductor layer; a second source/drain region of the second conductivity type formed in the semiconductor layer and spaced apart from the first source/drain region;”	“forming first and second source/drain regions of a second conductivity type in the semiconductor layer proximate the gate”
“a gate formed proximate an upper surface of the semiconductor layer and at least partially between the first and second source/drain regions”	“forming a gate proximate an upper surface of a semiconductor layer, . . . the gate being between the first and second source/drain regions”
“a silicide layer formed on and in electrical connection with at least a portion of the first source/drain region, the silicide layer extending laterally away from the gate”	“forming a silicide layer on and in electrical connection with at least a portion of the first source/drain region, the silicide layer extending laterally away from the gate”
“at least one insulating layer formed directly on the silicide layer”	“forming at least one insulating layer directly on the silicide layer”

As apparent from the above table, each of the steps recited in the method of claim 10 has a corresponding element in the apparatus set forth in claims 1 and 19. Applicants submit that the apparatus set forth in claims 1 and 19 cannot be made by a process other than and materially different from the process set forth in claim 10, and that the process of claim 10 cannot be used to form a product other than and materially different from the product set forth in claims 1 and 19.

Application Serial No. 10/673,539

Accordingly, the inventions set forth in the subject claims are properly linked to one another and should be considered together. Withdrawal of the restriction requirement in the present application is therefore respectfully solicited.

Notwithstanding the above traversal, Applicants hereby provisionally elect the claims of Group I, namely, claims 1-9 and 19-25, for prosecution on the merits.

It is believed that there is no fee due in conjunction with the present response. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Ryan, Mason & Lewis, LLP Deposit Account No. 50-0762** as required to correct the error.

Respectfully submitted,



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